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Attorneys for State Defendants

STATE OF HAWAII; NEIL ABERCROMBIE,

In his Official Capacity as Governor of Hawaii;

and DAVID M. LOUIE, in his Official Capacity

as Attorney General of Hawaii

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

GEORGE K. YOUNG, JR.,

Plaintiff,

vs.

STATE OF HAWAII and NEIL
ABERCROMBIE in his capacity as
Governor of the State of Hawaii;
DAVID M. LOUIE in his capacity as
State Attorney General; COUNTY OF
HAWAII, as a sub-agency of the State
of Hawaii and WILLIAM P. KENOI in
his capacity as Mayor of the County of
Hawaii; and the Hilo County Police
Department, as a sub-agency of the
County of Hawaii and HARRY S.

CIVIL NO. CV 12-00336 HG-BMK

**DEFENDANTS STATE OF
HAWAII; NEIL ABERCROMBIE,
In his Official Capacity as Governor
of Hawaii; and DAVID M. LOUIE's,
in his Official Capacity as Attorney
General of Hawaii, SCHEDULING
CONFERENCE STATEMENT;
CERTIFICATE OF SERVICE**

Rule 16 Conference

DATE: October 12, 2012

TIME: 9:00 a.m.

JUDGE: Hon. Barry M. Kurren

No Trial Date Set

KUBOJIRI in his capacity as Chief of Police; JOHN DOES 1-25; JANE DOES 1-25; CORPORATIONS 1-5; and DOE ENTITIES 1-5,

Defendants.

**DEFENDANTS STATE OF HAWAII; NEIL ABERCROMBIE,
in his Official Capacity as Governor of Hawaii; and DAVID M. LOUIE's,
in his Official Capacity as Attorney General of Hawaii,
SCHEDULING CONFERENCE STATEMENT**

Defendants State of Hawaii, Neil Abercrombie, in his official capacity as Governor of Hawaii; and David M. Louie, in his official capacity as Attorney General of Hawaii (collectively “State Defendants”), by and through their attorneys, David M. Louie, Attorney General of Hawaii, and Caron M. Inagaki and John M. Gregor, Jr., Deputy Attorneys General, respectfully submit their Scheduling Conference Statement pursuant to Local Rule 16.2 (b) of the Local Rules of Practice for the United States District Court for the District of Hawaii.

I. NATURE OF THE CASE

This is Plaintiff, George Young’s, third suit in this Federal Court seeking generally the same relief from the same officials.¹ Once again, generally speaking, Plaintiff complains that he was denied a firearms permit in violation of his Second Amendment rights, *inter alia*. In this 42 U.S.C. §1983 action Plaintiff has brought

¹ *Young v. State of Hawaii*, 548 F.Supp.2d 1151 (2008), *Young v. State of Hawaii*, 73 Fed.R. Serv. 1635 (2009)

suit against the State of Hawaii and Governor Abercrombie in his official capacity, David Louie, Attorney General of the State of Hawaii in his official capacity, as well as against the County of Hawaii, its Mayor and Police Chief, and others, seeking monetary damages and declaratory and injunctive relief.

II. STATEMENT OF JURISDICTION AND VENUE

The Plaintiff asserts in his Complaint that the claims fall within this court's jurisdiction under 42 U.S.C. § 1983 (Civil Action for Rights), 42 U.S.C. § 1985 (Conspiracy to interfere with civil rights), and 42 U.S.C. § 1986 (action for neglect to prevent), 28 U.S.C. § 1331, and 28 U.S.C. § 1343. At this time, State Defendants do not dispute venue but do not concede jurisdiction under these statutes.

III. JURY TRIAL

A demand for jury trial has not been made in this case.

IV. APPROPRIATENESS, EXTENT AND TIMING OF DISCLOSURES

State Defendants request that disclosures be made in the ordinary course of trial preparation.

V. DISCOVERY, MOTIONS AND HEARING DATES

No formal discovery has been undertaken or exchanged. State Defendants intend to seek all relevant documents, serve requests for answers to interrogatories, requests for production of documents, and requests for admissions to the Plaintiff.

In addition, State Defendants intend to depose all witnesses listed by the Plaintiff, as well as conduct such further discovery that may be deemed appropriate.

VI. RELATED CASES

There are no related cases currently pending.

VII. ADDITIONAL MATTERS

Defendants have filed Motions to Dismiss that will be briefed and decided through the normal course for such matters.

DATED: Honolulu, Hawaii, October 5, 2012.

STATE OF HAWAII

DAVID M. LOUIE
Attorney General of Hawaii

/s/ John Gregor
JOHN M. CREGOR, JR.
Deputy Attorney General

Attorney for State Defendants
STATE OF HAWAII; NEIL ABERCROMBIE,
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